

REMARKS

Claims 1-94 were pending in the application. The Office Action set forth an election requirement requesting that Applicant elect one of the following species for prosecution on the merits:

Species I: Claims 1-19, 38, and 79-88 wherein indication of pH levels is provided;

Species II: Claims 20-37 and 68-78 wherein indication of stress levels is provided; or

Species III: Claims 39-67 wherein indication of meat quality is provided.

In response thereto, Applicant hereby elects without traverse Species III directed toward meat quality. Applicant submits that claims 39-67 and 89-94 read on the elected species. As such, claims 1-38 and 68-88 have been withdrawn from consideration. Applicant has hereby amended claims 39, 40 and 57 so as to be generic. Applicant respectfully submits that the amendments to these claims are supported by the specification as originally filed.

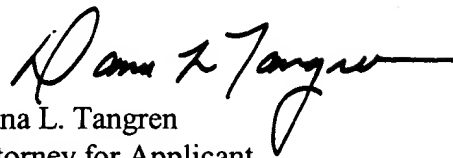
Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned **VERSION WITH MARKINGS TO SHOW CHANGES MADE.**

In view of the foregoing, claims 39-67 and 89-94 are presented to the Examiner for consideration on the merits.

In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this 4 day of November 2002.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dana L. Tangren", with a long horizontal flourish extending to the right.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 1-38 and 68-88 have been withdrawn from consideration.

Claims 39, 40 and 57 have been amended as follows:

39. (Twice Amended) A method of providing an indication of **at least one of** meat quality, **pH levels, and stress levels** in an animal, the method comprising:

- a) obtaining measurements corresponding to a body temperature of the animal at periodic sampling intervals;
- b) applying an algorithm to the measurements obtained from a), which algorithm cumulatively takes account of variations in body temperature over time; and
- c) comparing the results of the algorithm to a predetermined threshold.

40. (Twice Amended) A method of providing an indication of **at least one of** meat quality, **pH levels, and stress levels** in an animal, the method comprising:

- a) obtaining measurements corresponding to a body temperature of the animal at periodic sampling intervals;
- b) applying an algorithm to the measurements obtained from a), which algorithm cumulatively takes account of variations in body temperature over time; and
- c) correlating the results of the algorithm with **at least one of** a meat tenderness, **a pH, and a stress** standard.

57. (Twice Amended) A system for providing an indication of at least one of meat quality, pH levels, and stress levels in an animal to be slaughtered, the system comprising:

a body mountable measurement device for obtaining measurements corresponding to the body temperature of the animal at periodic sampling intervals over a period of between 3-36 hours; and

a processor having input means for receiving the measurements from the measurement device, the processor operable to implement an algorithm to the measurements, which algorithm cumulatively takes account of variations in body temperature over time, wherein the processor has output means for providing the result of the algorithm.